

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**TAMMY BLANKS**

*Plaintiff*

**V.**

**DAREN MAXIE, KEURIG DR.**

**PEPPER, INC. and SPLASH**

**TRANSPORT, INC.**

*Defendants*

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**C.A. NO. 4:21-cv-2178**

**NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

1. Defendants Keurig Dr. Pepper, Inc. and Splash Transport, Inc. are the Defendants in a civil action filed on or about June 15, 2021 in the 190<sup>TH</sup> District Court of Harris County, Texas, entitled *Tammy Blanks v. Daren Maxie, Keurig Dr. Pepper, Inc., and Splash Transport, Inc.*; CA 2021-35884.

2. Attached to this Notice of Removal are the following: All executed process in the case, all pleadings, petitions and answers, any orders signed by the state judge, the docket sheet, an index of matters being filed and a list of all counsel of record, including address, telephone numbers and parties represented.

3. The Citation and Petition in this action were served on June 22, 2021 on CT Corporation, registered agent for Defendants. This Notice of Removal is timely filed under 28 U.S.C. § 1446, et seq.

4. The District Courts of the United States have original jurisdiction over this action based on diversity of citizenship among the parties. Plaintiff Tammy Blanks is

domiciled in Texas and was domiciled there at the time this action was commenced. Plaintiff was at that time and is now a citizen of Texas, as plead in Plaintiff's Original Petition.

5. Defendant Splash Transport, Inc. is a foreign corporation incorporated and domiciled in Delaware. It has been served and files this removal.

6. Defendant Keurig Dr. Pepper, Inc. is a foreign corporation incorporated and domiciled in Massachusetts. It has been served and files this removal.

7. Defendant Daren Maxie is a Texas resident. He has not been joined or served at the time of filing this removal.

8. Defendant Sedgwick Claims Management Services, Inc. is a foreign corporation incorporated and domiciled in Kentucky. It has not been joined or served at the time of filing this removal.

9. The amount in controversy in this action exceeds, exclusive of interest and costs, the sum of \$75,000. Plaintiff's Original Petition seeks monetary relief in excess of \$5,000,000.00 based on personal injury claims for negligence. Defendant has demonstrated the amount in controversy meets or exceeds the minimum jurisdictional amount required.

10. Removal of this action is proper under 28 U.S.C. § 1441, since it is a civil action brought in a state court. The federal district courts have original jurisdiction over the subject matter under 28 U.S.C. § 1332 because the Plaintiff and Defendants are diverse in citizenship at the time of filing this removal. Removal is further proper under the snap removal provision of *Texas Brine Company, L.L.C. v. American Arbitration*

*Association, Incorporated, Anthony M. DiLeo and Charles R. Minyard*, No. 18-31184; in the United States Court of Appeals for the Fifth Circuit (April 7, 2020).

WHEREFORE Defendants Keurig Dr. Pepper, Inc. and Splash Transport, Inc., pursuant to these statutes and in conformance with the requirements set forth in 28 U.S.C. § 1446, remove this action for trial from the 190<sup>TH</sup> Judicial District Court of Harris County, Texas to this Honorable Court on this 5<sup>TH</sup> day of July 2021.

Respectfully submitted,

**RB LEGAL GROUP, PLLC**

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under the Rules\*\***

**COUNSEL FOR DEFENDANTS,  
KEURIG DR. PEPPER, INC., and SPLASH  
TRANSPORT, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>TH</sup> day of July 2021, a true and correct copy of the foregoing Notice of Removal was served via the CM/ECF filing system and properly addressed to:

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**ATTORNEY FOR PLAINTIFF**

/s/ Scott R. Breitenwischer  
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